

GOODWIN PROCTER

Anthony M. Feeherry, P.C.
617.570.1390
afeeherry@
goodwinprocter.com

Goodwin Procter LLP
Counsellors at Law
Exchange Place
Boston, MA 02109
T: 617.570.1000
F: 617.227.8591

2004 JAN 14 A 10:20

January 13, 2004

U.S. DISTRICT COURT
DISTRICT OF MASS

By Hand

Honorable Douglas P. Woodlock
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

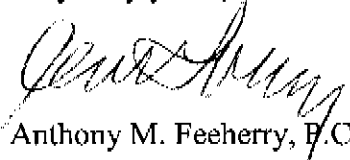
Re: Nextel Communications of the Mid-Atlantic, Inc. d/b/a Nextel Communications v. Town of Hanson and the Massachusetts State Board of Building Regulations and Standards, Defendants; and Mr. and Mrs. Stephen DeFrancesco, Marston Realty Trust and Hirschfeld Communications LLC, Proposed Intervenors
Case No. 03-12563-DPW

Dear Judge Woodlock:

I have been instructed by my clients, Hirschfeld Communications LLC and Marston Realty Trust not to file a motion to intervene in connection with the above-referenced case and to withdraw the pending motion with respect to the prior case.

As this firm has appeared as co-counsel to Mr. and Mrs. Stephen DeFrancesco, I have also provided notice to them and to Mr. Moriarty of this development. A copy of this letter has been provided to all counsel who have appeared in this matter.

Very truly yours,



Anthony M. Feeherry, P.C.

cc: Steven E. Grill, Esq. (Via Fax 603-669-8547)
Katharine Doyle, Esq. (Via Fax - 617-654-1735)
John R. Hitt, Assistant Attorney General (Via Fax - 617-727-5785)
Paul J. Moriarty, Esq. (Via Fax - 781-871-3223)